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Human rights and cultural diversity

Report of the Secretary-General

Summary

The present report is submitted to the General Assembly pursuant to its resolution 66/154 on human rights and cultural diversity in paragraph 19 of which it requested the Secretary-General to prepare a report on the implementation of the resolution, including efforts undertaken at the national, regional and international levels regarding the recognition and importance of cultural diversity among all peoples and nations in the world and taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations. The Secretary-General was requested to submit the report to the Assembly at its sixty-eighth session.

Following the General Assembly's request, the Office of the United Nations High Commissioner for Human Rights invited States, United Nations agencies and non-governmental organizations to submit written information on efforts undertaken in that regard. The report provides a summary of the submissions received. The information from Governments focuses on measures taken within the State to promote cultural diversity and to protect and ensure access to cultural heritage.

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I. Introduction

1. On 19 December 2011, the General Assembly adopted resolution 66/154 on human rights and cultural diversity. In paragraph 19 of that resolution, the Assembly requested the Secretary-General to prepare a report on the implementation of the resolution, including efforts undertaken at the national, regional and international levels regarding the recognition and importance of cultural diversity among all peoples and nations in the world and taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, and to submit the report to the Assembly at its sixty-eighth session. The Office of the United Nations High Commissioner for Human Rights (OHCHR) requested submissions from States and relevant organizations on the efforts undertaken; as at 2 July 2013, 14 replies had been received from States, and the United Nations Educational, Scientific and Cultural Organization (UNESCO) and one non-governmental had organization each submitted a response. The present report contains a summary of the submissions received.

II. Summary of information received from Governments

Argentina

2. Argentina's response indicated that the government's policy on cultural diversity has been an important part of its promotion of human rights and that this policy has been successful over the past decade. In fulfilment of its commitment at the World Conference against Racism held in Durban, South Africa, in 2001, Argentina developed a policy paper entitled "Towards a National Plan against Discrimination in Argentina: Diagnosis and Proposals". In 2005, the paper was approved by a presidential decree, which also mandated the National Institute against Discrimination, Xenophobia and Racism to coordinate the implementation of the proposals.

3. This policy framework has guided several initiatives, including the establishment, in 2011, of an Intercultural Section responsible for promoting cultural diversity by addressing discrimination based on, inter alia, ethnicity, culture, religion and language. The programmes implemented by the Intercultural Section are focused on indigenous peoples, persons of African descent, migrants and the Jewish, Arab, Armenian and Muslim communities.

4. In December 2011, the National Institute against Discrimination, Xenophobia and Racism supported the creation of a research centre on development and training in religious and ethnic cultural diversity. The Centre's main objective is to promote research and to develop joint programmes aimed at seeking the commitment of the public sector on the promotion of cultural diversity.

5. Regarding education, workshops and teacher-training events on cultural diversity and awareness of discriminatory practices have been held for secondary schools and for the general public, and public discussions have focused on the historical, cultural and social legacy of persons of African descent. The National Institute against Discrimination, Xenophobia and Racism has also screened school manuals for negative stereotyping and has produced texts and audiovisual materials to combat discrimination and promote cultural diversity.

Belarus

6. In its submission, Belarus noted that it had not experienced any conflicts provoked by ethnic or religious differences. This is attributable to Government policy, a high degree of tolerance within Belarusian society and a history of peaceful inter-ethnic relationships. The Government's policy on inter-ethnic relations is based on strict compliance with the Constitution and with the Law on Ethnic Minorities. The latter prohibits any direct or indirect restriction of rights and freedoms on ethnic grounds and guarantees equality in the realization of political, economic and social rights and freedoms as well as the equal protection of all citizens. Belarus has established the position of Commissioner for Religions and Nationalities at the ministerial level, with the Commissioner being responsible for the promotion and protection of the rights of all ethnic groups. The Commissioner works with the Consultative Inter-ethnic Council to formulate recommendations on Government policy with regard to national minorities.

7. Belarus has been running a development programme since 2011 in the fields of religion and national relations and in relation to collaboration with the diaspora. The programme will continue until 2015. As at 2013, there are 180 civil society organizations, representing 26 ethnicities, that are involved in conducting educational, cultural and benevolent assistance programmes. There are also over 300 folk art groups in Belarus.

8. On 19 and 20 June 2013, the Ministry of Foreign Affairs of Belarus, OHCHR and the United Nations Office in Belarus will hold a seminar on racial discrimination, xenophobia and other forms of intolerance.

Cyprus

9. Cyprus underscored the commitment of its Ministry of Education and Culture to promoting diversity of cultural expression. To that end, the Ministry subsidizes national and regional events that facilitate intercultural dialogue, such as festivals, musicals, theatre and dance performances. It also operates several subsidy schemes for the benefit of individuals, civil society organizations and local authorities.

10. Cyprus has signed several bilateral agreements incorporating arrangements to collaborate with other countries in the fields of education, culture and science. The Cultural Services responsible for implementing agreements on cultural collaboration organize events aimed at promoting Cypriot culture abroad and host events organized in Cyprus by other countries. Within the framework of bilateral agreements, the partners of Cyprus encourage direct contact between artists and private and public institutions in the fields of the arts and culture and support initiatives to promote cooperation in literature, music, cinematography, photography, theatre and dance. Museums and galleries are encouraged to participate in organizing exhibitions on history, art, design and architecture. Bilateral cooperation also has as an objective the implementation of the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

Georgia

11. The submission by Georgia provided information on its initiatives to promote cultural diversity, including the Modern Fine Arts Development Programme, which has been operating for several years under the auspices of the Ministry of Culture and Monument Protection. The aim of the programme is to support the implementation of the Government's policy in the sphere of fine arts and to contribute to developing and disseminating fine arts. Within the framework of the programme, the Tbilisi International Forum of Contemporary Art (the "Artisterium") is held annually and is organized by the Ministry with support from fine arts institutions, the cultural and press attachés of the embassies represented in Georgia as well as media and broadcasting companies.

12. In 2009, the Ministry of Culture and Monument Protection established a programme to support Georgian books and literature, with the objective of contributing, through various projects, to the popularization of Georgian literature locally and abroad. The programme implements government policy in literature and library affairs through activities such as book fairs and support to libraries.

13. The Programme for the Development of Georgian Professional Music, supported by the Government, seeks to promote music, the popularization of classical music, the professional development of young performers and the maintenance and preservation of cultural heritage. Various international festivals, contests and musical evenings have been held over a number of years as part of the programme. Similarly, the Programme for the Development of Georgian Professional Dramatic Arts envisages the implementation of Government policy in the sphere of professional dramatic arts, the maintenance of local traditions and the development and popularization of Georgian theatre arts.

14. In order to share contemporary trends in foreign theatre and to integrate Georgian theatre internationally, the Ministry promotes the annual Tbilisi International Theatre Festival showcasing the works of various foreign theatre companies. Workshops, seminars and training courses in the dramatic arts are held under the guidance of renowned artists and theatre specialists. Thus, leading international art critics and producers familiarize themselves with Georgian theatre production, and contacts between Georgian and foreign professionals are developed.

15. Georgia cooperates extensively with international organizations with a view to seeking their support in obtaining donor assistance to disseminate and preserve Georgian culture and cultural heritage. To that end, the Ministry launched the Programme for the Support of Foreign Cultural Relations and "The Georgian Seasons" programme to bolster the visibility of Georgian culture internationally. The Programme for the Support of Foreign Cultural Relations seeks to establish cooperation with Government institutions and non-governmental organizations responsible for culture abroad; organize cultural events with the participation of eminent representatives of world culture; and execute agreements, protocols of intention and cooperation programmes. The Georgian Seasons programme includes cultural, educational and scientific projects for implementation in various countries by Government-supported cultural organizations, private groups and Georgian artists living and working abroad.

Holy See

16. The Holy See's response affirmed its support for valuing cultures within the human rights framework and stated that the Universal Declaration of Human Rights is necessary because it proclaims those rights but does not confer them. The Holy See recalled its strong opposition to the implementation of the objectives of Millennium Development Goals 4, 5 and 6, particularly with regard to the promotion of contraception and abortion as solutions to the matters of child mortality, maternal health and HIV. The response denounced all belief in the inferiority of certain peoples and their cultures and encouraged the promotion of all positive aspects of those cultures. It drew a distinction between nationalism and patriotism, stating that while nationalism advocates contempt for other nations and cultures, patriotism is a legitimate love for one's country that does not seek to promote its culture at the expense of others.

17. The Holy See noted that the Catholic Church emphasizes that the authenticity of each culture should be measured against, among other things, the manner in which it promotes human dignity. Moreover, if the radicalization of cultural identities is a matter of concern, a passive acceptance of any culture, based on a secularized conception in which God and religions are excluded, is also dangerous. The Holy See called for an end to the scientific and cultural predominance of "occidental cultural schemes", which claim to accomplish good while avoiding any reference to transcendence.

18. The response recalled that dialogue among cultures is based on the existence of common values, an area where religions can and should contribute. The Holy See encouraged respect for cultural pluralism and for every fair initiative that aims to foster intercultural dialogue and promotes greater unity among human beings as a collectivity.

Islamic Republic of Iran

19. The submission by the Islamic Republic of Iran provided comprehensive information on the activities of the Non-Aligned Movement Centre for Human Rights and Cultural Diversity established under the Tehran Declaration and Plan of Action. With a special focus on the human rights challenges that developing countries have in common, the Centre promotes the universality of human rights as well as their realization.

20. Between 2011 and 2012, the Centre held several international academic events attended by more than 1,200 people, including events outside the country. Most notably, these included the first and second international summer school on human rights and cultural diversity, a conference on human rights and cultures and a seminar on cultural diversity and human rights education. In 2012, it hosted its first week-long autumn school on human rights and cultural diversity, during the twenty-first session of the Human Rights Council, held in Geneva. These events were conducted along with diplomatic briefings on the Centre's work.

21. The response noted that the academic events were greatly enriched by the cooperation and support of a range of organizations and institutions, including the Iranian Red Crescent Society, the Irish Centre for Human Rights, the Iranian Islamic

Human Rights Commission and the Iranian National Commission for UNESCO, as well as eminent scholars.

Jordan

22. Jordan was one of the early parties to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and has made progress in its implementation, including through the nomination of an official spokesperson on the subject of diversity of cultural expressions and the provision of support to relevant institutions and civil society organizations.

23. The Ministry of Culture has played a pivotal role in the protection of culture and creativity since its establishment, contributing by running various programmes and hosting events on cultural diversity. These activities include the National Programme for the Development of a Culture of Dialogue, a communication and culture programme, participation in international book fairs, festivals, conferences and forums on culture and art and participation in "culture weeks" in countries with which Jordan enjoys friendly relations.

24. With respect to the relevant legal framework, Jordan provided information on applicable Constitutional provisions. The Constitution stipulates that all Jordanians are equal before the law and prohibits discrimination on the basis of language, religion or ethnic origin. Personal freedoms are guaranteed under article 7, and articles 14 and 16 guarantee freedom of religion or belief and freedom of association and assembly, respectively.

25. Jordan's reply noted that the Ministry of Culture nonetheless faces a number of challenges in implementing its mandate. In particular, it referred to inadequate private sector participation in the financing of cultural activities, little public awareness of the importance of cultural development and poor coordination between official cultural institutions and community organizations.

Lithuania

26. In its submission, Lithuania stated that the majority of the programmes administered by the Ministry of Culture contribute to promoting intercultural dialogue and cooperation at the local, national, regional and international levels. The programmes provide financing for various projects and promote activities to enhance partnerships between cultural institutions and individuals, develop cultural exchanges, and broaden the space for intercultural dialogue.

27. In 2011, the Minister of Culture approved the Regional Culture Development Programme for 2012-2020. The aim of this programme is to foster creative self-expression throughout all regions, ensure cultural diversity, and develop civic awareness. The action plan to implement the programme includes a wide range of measures to improve the quality of the cultural amenities and services in all regions and to ensure access to culture for local residents, guests and tourists.

28. Lithuania's support for regional cultural projects contributes directly to reducing cultural and social exclusion, encouraging cultural activities and promoting intercultural dialogue and cooperation. The support provided for child and youth education projects assists in introducing children and young people (including those

representing national minorities) to a diversity of cultural expressions and in encouraging joint initiatives among Government institutions, municipal institutions and civil society organizations.

29. The Ministry of Culture coordinates the measures envisaged in the National Minority Policy Development Strategy, which runs until 2015. Its key priorities are to ensure the integration of national minorities into Lithuanian society, create conditions for national minorities to preserve their national identity, and promote national tolerance.

30. In order to meet the cultural and educational needs of persons belonging to national minorities, cultural centres have been established in major cities of Lithuania. These centres carry out activities designed to ensure access to culture for various national, cultural and linguistic groups and to promote cultural self-expressions for national minorities at the local, national and regional levels. In order to foster the cultural identity of national minorities and to support the diversity of cultural expressions, the Ministry of Culture subsidizes cultural projects proposed by national minority non-governmental organizations. Priority is accorded to projects that meet various criteria, including promoting the dissemination of the culture of national minorities in Lithuania and abroad and the preservation of the cultural heritage of national minorities.

Mauritius

31. The response by Mauritius emphasized that the ethnic groups coexisting in Mauritius uphold their traditional values through the celebration of festivals, some of which have been declared public holidays. Fostering traditional values has contributed to preserving the Mauritian cultural identity and is the basis for cultural development in Mauritius, thus contributing to the protection of human rights and fundamental freedoms.

32. The Government organizes annual festivals to celebrate Divali, Eid and Christmas, among other celebrations, with the objective of fostering mutual understanding and a sharing of values among various cultural communities. Many artistic and cultural events are also organized to ensure the promotion of all aspects of cultural heritage, and include the International Day for the Remembrance of the Slave Trade and its Abolition, World Theatre Day and World Book Day.

33. Mauritius promotes cultural pluralism by encouraging exchanges with other countries. These exchange programmes involve groups of artists, the exchange of documentation, and exchanges among professionals in various cultural and artistic fields. Mauritius underscored the importance of the programmes in the promotion of and respect for cultural diversity and human rights.

34. The Mauritian Cultural Centre Trust aims to promote Mauritian culture through, among other activities, the collection, publication and dissemination of information on Mauritian culture, the organization of lectures, seminars, workshops, exhibitions and other activities, and the establishment of links with local and international organizations engaged in the promotion of culture.

35. In its response, Mauritius also referred to the legislative framework within which cultural diversity and a range of cultural rights are protected, including the

Constitution, which is the overarching law that guarantees the right to practise one's own culture.

Oman

36. Oman's response made reference to the important role played by the Oman National Commission for Education, Science and Culture in promoting cultural diversity. In 2012, the Commission organized a seminar to discuss cultural diversity and its role in creating linkages among cultures. In addition to Oman, 11 Arab countries, together with experts from UNESCO, participated in the seminar. The main objectives of the seminar were to highlight Oman's efforts to promote cultural diversity and underscore the role of cultural diversity in enriching dialogue among civilizations. In cooperation with UNESCO, the Commission also organized a training workshop entitled "A Culture of Dialogue for Peace", the objective of which was to train trainers on peace negotiation skills.

Peru

37. The submission by Peru highlighted the following measures adopted by the Government to enhance cultural dialogue in a context of respect and tolerance. In 2010, a Vice-Ministry for Intercultural Dialogue was created within the Ministry of Culture, with the purpose of promoting and guaranteeing social equality and respect for the rights of indigenous peoples. The Ministry of Culture has issued Guidelines on Cultural Policy based on the recognition of cultural differences and on the need to integrate intercultural dialogue into Government policy in all areas. The Guidelines drew inspiration from the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention (No. 169) and from the United Nations Declaration on the Rights of Indigenous Peoples.

38. On 7 September 2011, the Government promulgated a law on the right of indigenous people to prior consultation, in order to give effect to the provisions of ILO Convention No. 169 and the United Nations Declaration on the Rights of Indigenous Peoples and taking into account the claims of indigenous peoples who had objected to the previous draft of the law. The government has also adopted regulations to ensure the effective implementation of the right to prior consultation. In order to adopt regulations to establish the procedure of the right to prior consultation, a public consultation was held, and several inputs from indigenous organizations were incorporated into the regulations.

39. The Government has also created an official database on indigenous or native peoples, following the recommendations of the ILO Committee of Experts on the Application of Conventions and Recommendations. An official register of indigenous translators and facilitators has also been set up to facilitate the exercise of the indigenous peoples' right to prior consultation. Technical assistance has been provided to several Government departments in order to assist with the identification of issues that require prior consultation and to train public servants and interpreters in the implementation of procedures to give effect to that right. Other measures have been adopted by different State authorities, including those in charge of agriculture, mining, municipal government and culture, to promote the participation of indigenous peoples in decision-making processes.

40. The Government of Peru has adopted measures to promote the protection of indigenous cultural heritage, intercultural and bilingual education, and the right to use, strengthen, promote and transmit indigenous languages, and has developed educational materials for primary and secondary schools to combat discrimination and promote tolerance and understanding among indigenous peoples and other sectors of society.

Republic of Korea

41. In its response, the Republic of Korea noted that the Ministry of Culture, Sports and Tourism aims to make a positive contribution through laws and institutional arrangements for the protection and development of cultural diversity locally and abroad. These laws and institutional arrangements facilitate the promotion of the value and importance of cultural diversity throughout Korean society. The Ministry is also responsible for establishing the legal framework for policies and activities on cultural diversity and for promoting coexistence and harmony among different cultures. The Ministry plans to develop a cultural diversity indicator to be used to assess Government policies and strategies, as well as private sector programmes and activities, in order to ensure the equal development of different cultures, including marginalized cultures and those facing the threat of extinction.

42. A law to facilitate the implementation of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions was promulgated on 4 December 2012. The Republic of Korea has been involved in a number of cooperative projects with UNESCO, which include promoting the traditional Vietnamese handicraft industry, supporting the establishment of an institute to foster culture in Burkina Faso and the preservation and development of traditional Uzbek and Kazakh handicrafts.

43. Since the Republic of Korea became a member of the Organization for Economic Cooperation and Development in 2010, the Ministry has collaborated with the international community to contribute to addressing global issues by increasing overseas development assistance in the field of culture, with a focus on improving cultural diversity and culture welfare. The Ministry has been active in raising awareness of cultural diversity through education. It focuses on developing education on cultural diversity and the arts and cooperates with UNESCO in advancing education on culture and the arts. Furthermore, the Ministry sends between 5,000 and 6,000 fine arts teachers every year to schools, welfare centres, correctional centres and other places where deprivation is prevalent. It has plans to provide training to media and broadcasting personnel, primary and secondary school teachers and senior company executives, among others, and to design a curriculum specifically aimed at mainstreaming cultural diversity education.

44. The submission by the Republic of Korea indicated that during the International Arts Education Week held from 19 to 25 May 2013, 35,000 people participated in approximately 300 workshops, forums and other cultural activities.

Syrian Arab Republic

45. The reply from the Syrian Arab Republic noted that its civilization has been enriched by many different civilizations and cultures over the course of its history, which has brought about its distinctive cultural and religious diversity. This diversity has made Syrian society an example of coexistence and social cohesion among the different cultural and religious groups, which have coexisted for thousands of years.

46. The Constitution enshrines the principles of freedom and equality and stipulates that Syrian society is based on solidarity and respect for social justice and on upholding the human dignity of each individual. Article 33 guarantees equality and non-discrimination on the grounds of sex, origin, language, religion or belief, and article 42 provides for freedom of belief. Article 31 of the Constitution provides for the Government to support scientific research and guarantees cultural, literary and artistic freedom. Article 34 provides for the right of all citizens to participate in the political, social, economic and cultural life of the country.

47. The Ministry of Culture provides support for cultural expression and diversity, including Arab, Armenian, Kurdish and Cherkess folklore. Through its Directorate for Non-tangible Heritage, the Ministry protects all cultural expression, and material support is given to the arts and sciences, without discriminating between Syrian and other Arab artists and scientists.

48. The response indicated that all Syrians have the same cultural and educational opportunities, since education at all levels is free for all. Each citizen has the opportunity to learn the country's different languages and become familiar with the different cultures, such as Assyrian, Kurdish and Aramaic.

49. The Syrian Arab Republic is open to all cultures of the world, and such openness is promoted through the educational system, including through the teaching of different languages, different cultures and the history of different world civilizations. This openness has always been part of the Syrian tradition and the Government actively promotes it, including by way of broadening cultural and scientific exchange with many countries.

United Arab Emirates

50. The United Arab Emirates reaffirmed its commitment to human rights, emphasizing that the enjoyment of human rights without discrimination or exclusion ensures that all can claim justice and equality. All citizens are equal before the law and have the right to exercise their freedom of thought and expression.

51. The reply indicated that the Government supports civil society organizations representing different cultures in accordance with the international obligations of the United Arab Emirates. The Government believes in the human rights of communities residing in the United Arab Emirates, including the exercise of their cultural rights through officially licensed clubs and associations.

III. Summary of information received from United Nations Educational, Scientific and Cultural Organization

52. The submission by UNESCO noted that the organization is mandated by its Constitution to promote culture in its diversity through international cooperation and dialogue, based on respect for universal values, human rights and the equal dignity of all cultures. As the only United Nations organization with a specific mandate for culture, UNESCO has elaborated a significant corpus of international conventions in this field. Five of its conventions focus on the protection and promotion of cultural heritage in all its forms, and one is devoted specifically to the protection and promotion of the diversity of cultural expressions. Each of these instruments is driven by UNESCO's ethical mandate and notably, the promotion of cultural diversity within the larger framework of human rights.

53. While the UNESCO conventions in the field of culture are not human rights instruments as such, they play an important role in creating the necessary conditions for the realization of the right of everyone to take part in cultural life and in fostering the availability, accessibility, acceptability, adaptability and appropriateness of cultural heritage and expressions. Since its first instrument, the UNESCO normative corpus relating to culture has progressively strengthened the place of human rights in its principles and accompanying implementation policies.

54. The defence of human rights in relation to cultural diversity is especially important in post-conflict situations. On the one hand, special attention must be paid to preventing threats to cultural identities. On the other hand, culture in all its forms has proved to be a powerful instrument of resilience, reconciliation and reconstruction of affected societies and communities. In the recent case of Mali, in addition to taking action to help safeguard Malian cultural heritage and cultural expressions which were subject to repeated attacks during the recent conflict, UNESCO has cooperated with the International Criminal Court in its investigations into the deliberate destruction of Malian cultural heritage and persecution based on cultural grounds.

55. UNESCO is conducting consultations with Member States on education on the history of genocides and mass atrocities, especially the Holocaust. The aim is to assist interested countries to introduce these subjects in their curriculums, since education in this area can contribute to the promotion of tolerance, human rights and intercultural understanding. So far, UNESCO has had discussions with 14 countries in sub-Saharan Africa and 9 Latin American countries.

56. In January 2012, UNESCO, in partnership with the United States of America and Brazil, launched a new global project, entitled "Teaching Respect for All" to promote educational responses to discrimination and violence, through strengthening the foundations of mutual tolerance and cultivating respect for all people, regardless of colour, gender, descent, and national, ethnic or religious identity. Such initiatives are of vital importance in the context of globalization and in fostering mutual respect among peoples and cultures. The preparation of the policy guidelines and teaching materials is well under way and will be piloted throughout 2013 before a wider dissemination.

57. UNESCO emphasized that the use of appropriate languages in education is considered essential to the promotion of cultural diversity. UNESCO places emphasis on the importance of mother tongue instruction in formal and non-formal

education and annually celebrates the International Mother Language Day on 21 February with the aim of promoting multilingual education and cultural diversity. For the 2013 celebration, the theme "International Mother Language Day and the Book" was selected to underline the importance of promoting book provision, book development and quality textbooks to support literacy and education. In 2012, UNESCO launched an online consultation on early childhood care and education with a focus on mother tongue instruction. Progress has been made on the development of policy on mother tongue instruction and its implementation; however, it is still not a reality in many countries where monolingual education is the trend.

IV. Summary of information received from non-governmental organizations

Observatory of Diversity and Cultural Rights, University of Fribourg, Switzerland

58. The Observatory's response referred to the need to reinforce the principle that cultural diversity and human rights are mutually protective and noted that cultural rights, as part of our universal, indivisible and interdependent human rights, have a major role to play. Respect for cultural diversity is a broad principle and, in order to remain practical while avoiding relativism, focus on respect for human rights is crucial. Respect for human rights leads to mutual esteem for all cultural groups in all their richness, and intercultural dialogue, with a view to an improved understanding of universality, facilitates the identification of practices which, under the guise of "culture", are contrary to human rights.

59. The principle that human rights and cultural diversity are mutually protective implies respect for human beings as rights-holders and as free and responsible actors, as well as respect for and maintenance of heritage, culture and social systems, without which individual rights have no meaning. In this sense, cultures are not considered homogenous but, rather, as incorporating a pronounced internal diversity.

60. In considering cultural diversity, we are again faced with the archaic yet tenacious division between individual and collective rights, since all individual rights are realized through a right, a freedom or responsibility in relation to a social system. They are individual with regard to the subject matter and collective vis-à-vis their object. The principle of the mutual protection between human rights and cultural diversity implies a multifaceted approach with human beings at their centre but with due consideration for their creations, their know-how, traditions and ways of life.

V. Conclusion

61. In the submissions received, several States highlighted the legislative framework that supports their efforts to promote cultural diversity, particularly constitutional provisions, as well as legislation to protect the diversity of cultural expressions and the rights of ethnic and other minorities. Some responses indicated

that the promotion of cultural diversity was underpinned by clear policies, including those linked to other endeavours to protect human rights. There was emphasis on cooperation with other countries and with international organizations as a means of facilitating intercultural dialogue. In that regard, States provided information on cultural exchange programmes and on programmes and events to promote the arts, literature, music, film and dance, among other forms of cultural expression. Other submissions noted that human rights and cultural diversity are inextricably linked and that respect for human rights has an important role to play in facilitating cultural diversity.